Filed 12/30/2005

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FILED
US DISTRICT COURT
DISTRICT OF ALASKA

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TIMOTHY M. BURGESS United States Attorney

KEVIN FELDIS Assistant U.S. Attorney Federal Building & U.S. Courthouse 222 West Seventh Avenue, Room 253, #9 Anchorage, Alaska 99513-7567 (907) 271-5071

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,) No. A02-007 CR (JWS)
Plaintiff,) <u>UNITED STATES' MOTION</u>
) TO FILE AUDIO CD TO ITS
VS.) OPPOSITION TO MOTION
GABRIEL CLARK-AIGNER,) PURSUANT TO 28 U.S.C. §) 2255
Defendant.))
)

COMES NOW the United States and hereby moves this Court to accept the enclosed audio cd containing the defendant's change of plea hearing held April 25, 2002, for the convenience of the Court. The government has cited to the change of plea hearing in its opposition and respectfully asks the Court to accept

the audio cd.

RESPECTFULLY SUBMITTED on December 30, 2005, at Anchorage,

Alaska.

TIMOTHY M. BURGESS United States Attorney

KEVÍN FELDÍS

Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I declare under penalty of perjury that a true and correct copy of the foregoing was sent to the following counsel of record on December 30, 2005, via:

(X) FAX and U.S. Mail

Scott Sterling Attorney at Law 851 E. Westpoint Drive, Ste. 201 Wasilla, Alaska 99654 Fax: 907-376-8078

Executed at Anchorage, Alaska, on December 30, 2005

Office of the U.S. Attorney